

1 Rule 45. Pre-disposition reports and social studies.

2 (a) Unless waived by the court, a pre-disposition report shall be prepared in all proceedings  
3 which result in the filing of a petition. The pre-disposition report shall be deemed waived, unless  
4 otherwise ordered, in all traffic, fish and game and boating cases, and other bailable offenses.  
5 The report shall conform to the requirements in the Code of Judicial Administration.

6 (b) In delinquency cases, investigation of the minor and family for the purpose of preparing  
7 the pre-disposition report shall not be commenced before the allegations have been proven  
8 without the consent of the parties.

9 (c) The pre-disposition report shall not be submitted to or considered by the judge before the  
10 adjudication of the charges or allegations to which it pertains. If no pre-disposition report has  
11 been prepared or completed before the dispositional hearing, or if the judge wishes additional  
12 information not contained in the report, the dispositional hearing may be continued for a  
13 reasonable time to a date certain.

14 (d) For the purpose of determining proper disposition of the child and for the purpose of  
15 establishing the fact of neglect or dependency, written reports and other material relating to the  
16 child's mental, physical, and social history and condition may be received in evidence and may  
17 be considered by the court along with other evidence. The court may require that the person who  
18 wrote the report or prepared the material appear as a witness if the person is reasonably  
19 available.

20 (e) The pre-dispositional report and social studies shall be provided by the author to the  
21 minor's counsel, the prosecuting attorney, the guardian ad litem, and counsel for the parent,  
22 guardian or custodian of the minor at least two days prior to the dispositional hearing. When the  
23 minor or the minor's parent, guardian or custodian are not represented by counsel, the court may  
24 limit inspection of reports by the minor or the minor's parent, guardian or custodian if the court  
25 determines it is in the best interest of the minor to do so.

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